

## WEATHER REPORT.

Washington, March 16.  
Forecast for Friday:  
For Virginia: Fair; fresh to brisk northeasterly winds.  
For North Carolina: Fair; light to fresh easterly winds.

## Norfolk and Vicinity.

WEATHER FORECAST FOR TO-DAY.  
Fair; nearly stationary temperature; fresh north winds.

TEMPERATURE, RAINFALL AND HUMIDITY.  
Maximum temperature... 52  
Minimum temperature... 42  
Normal temperature... 47  
Departure from normal... 0  
Departure from normal since January 1st... minus 131  
Rainfall in past 24 hours... 0  
Rainfall since 1st of month... 4.38  
Mean humidity... 75

## CALENDAR.

Sun rises 6:12 a. m.; sets 6:15 p. m.

## TIDES.

Norfolk: High water 1:05 a. m., 1:26 p. m.; low water 7:25 a. m., 7:26 p. m.  
Old Point: High water 12:14 a. m., 1:05 p. m.; low water 7:04 a. m., 7:05 p. m.

**Monuments and Gravestones.**  
The selection of a suitable memorial in marble or granite can be readily made from our stock. We carry the largest assortment of finished designs in the South.  
**THE COOPER MARBLE WORKS**  
(Established 50 Years.)  
159-163 Bank St., Norfolk, Va.

## AMUSEMENTS.

**VAN WYCK'S ACADEMY OF MUSIC**  
SATURDAY MATINEE AND NIGHT, MARCH 18, 1899.  
Lout, DAN GODFREY and the **BRITISH GUARDS COMPANY.**  
Seats now on sale. Prices, 25, 50, 75c. and \$1.00. Box seats, \$1.50. mhl7-3t

**ACADEMY OF MUSIC.**  
NORFOLK LYCEUM COURSE.  
MONDAY, MARCH 20, 1899.  
MR. LEONARD C. VAN Noppen, the eminent scholar and writer, of New York, will deliver his interesting lecture on "DUTCH LITERATURE."  
Non-members of the course may obtain tickets at the box office. mhl7-3t

## AUDITORIUM THEATRE.

S. E. Cor. Nebraska and Union Sts.  
JAS. M. BARTON, Prop. and Manager.  
WILEY HAMILTON, Amusements Director.  
Open every night in the year. Smoking. Concerts, presenting a respectable, up-to-date vaudeville entertainment.  
Matinees, Thurs. and Sat. at 2 p. m. Evening performances continuous from 8 till 12. Admission, 10, 15 and 25c. Jn22-ly

## MEETINGS.

**NOTICE.** THE ANNUAL MEETING OF THE VIRGINIAN AND PILOT PUBLISHING COMPANY will be held at the office of Mr. L. D. Starke, Jr., room No. 23, Lowenberg building, in the city of Norfolk, Va., on WEDNESDAY, THE 17TH DAY OF APRIL, 1899, at 12 o'clock m. mhl7-1m J. E. ALLEN, Secretary.

**THE ANNUAL MEETING OF THE STOCKHOLDERS OF THE LYNN-HAYDN SYNDICATE** will be held at the Company's office in the city of Norfolk, Va., on THURSDAY, March 23d, 1899, at 12 m. mhl7-1m

ROBT. W. LAMB, Secretary.

## Why the Stieff Piano?

BECAUSE OF ITS PURITY, RICHNESS AND VOLUME OF TONE, ARTISTIC BEAUTY OF FINISH, GENUINE SOLIDITY OF CONSTRUCTION AND A SOUND DURABILITY THAT ENABLES US TO GUARANTEE ALL

## STIEFF PIANOS?

Sold for Half Century Past. Call and examine our stock.  
Factory Warehouses,  
The Monticello Hotel,  
Granby St., near Ladies' Entrance.

JOHN J. FOSTER, Manager.

## Celery Nerve Compound

A true Nerve Tonic; an Active Alternative. A Reliable Laxative and Diuretic.  
Purifies the blood, renews strength and vitality; regulates the liver, kidneys, stomach and bowels.  
\$1 size bottles for 75c. at

## Trotter's Drug Store.

388 Main St. Cor. Church St.

## TEETH!

Full Set, \$5.00.  
Gold Filling, \$1.00.  
Silver Filling, 50c. up.  
Gold Crowns, \$5.00 to \$10.00.  
Vitalized, \$2c. for the painless extraction of teeth.  
The leading physicians of Norfolk recommend Vitalized Air, as it is perfectly safe.

## ALBANY DENTAL PARLORS,

DR. W. W. FREEMAN, Mgr.,  
374 Main Street.

## ECLIPSE BICYCLES.

THEY STAND THE TEST.

MONTICELLO WHEEL CO.

## COURT DECISIONS.

Notes of Cases Recently Decided,  
Which are of Interest to  
Our People.

DIGESTED BY W. B. MARTIN,  
(Exclusively for Virginian-Pilot.)

KELLAR V. STONE,  
and  
WALKER V. STONE.

Supreme Court of Appeals of Virginia,  
January 29, 1899.

A MANDAMUS CANNOT ISSUE DIRECTING THE REGISTRAR OF AN ELECTION PRECINCT TO FURNISH COPIES OF THE REGISTRATION BOOKS, OR TO PERMIT OTHERS TO COPY SAME AT THEIR OWN EXPENSE.

A MANDAMUS WILL ISSUE REQUIRING THE CLERK, WITH WHOM POLL-BOOKS OF AN ELECTION PRECINCT HAVE BEEN LODGED, TO PERMIT A PETITIONER TO INSPECT THEM, AND, IN HIS PRESENCE, AND AT WITHIN A REASONABLE TIME, TO TAKE FROM THEM MEMORANDA OR NOTES.

These were cases asking the issuing of a mandamus for a copy of the registration books, or to be allowed to make copies of the same. The court says: Section 84 of the Code provides that the registration books shall be kept and preserved by the registrar, and that they "shall at all times be open to public inspection." This right has not been denied to petitioners and the law not imposing upon the registrar, expressly or by fair implication, the duty of making copies when demanded, and failing to provide compensation to him for such work, and not requiring him to allow copies to be made, a mandamus cannot issue in accordance with the prayer of the petitioners directing the respondent to make copies of the registration books in his custody, or to permit petitioners to do so at their expense.

The petition of James A. Walker, however, represents that he applied to the respondent, the custodian of the poll-book of said precinct, to permit petitioner to examine said poll-book, but was told by respondent that the books were sealed up and could not be inspected by him. Section 122 of the Code of Virginia provides, among other things, that the poll-books, after being lodged with the clerk, shall remain "for the use of persons who may choose to inspect them."

Section 3955 of the Code confers upon this court jurisdiction to issue writs of mandamus in all cases "in which it may be necessary to prevent a failure of justice in which a mandamus may issue according to the principles of the common law." At common law the writ of mandamus will be issued, directed to any person or corporation, or inferior court, requiring them to do some particular thing, therein specified, which appertains to their office or duty. Under the provisions of Section 122 of the Code, it was clearly the right of the petitioner, when he applied to the respondent for the poll-books of Bristol precinct, to be permitted to inspect them, and this right having been denied by the respondent a mandamus must issue requiring respondent to permit petitioner, James A. Walker, to inspect these poll-books and to take therefrom, at and within a reasonable time, in the presence of the respondent, memoranda or notes, such as are proper to be made according to the views expressed by this court in the case of Gleaves v. Terry, as to the record of the proceedings of the electoral board of the several counties, etc., as to which secrecy is not enjoined by law.

GALLOWAY V. STANDARD FIRE INS. CO.

Supreme Court of Appeals, West Va.  
November 19, 1898.

IF APPLICATION FOR INSURANCE IS SENT FROM ONE STATE TO ANOTHER, AND POLICY THERE ISSUED, IT IS A CONTRACT OF THE LATTER STATE. THE PLACE OF ACCEPTANCE IS THE PLACE OF THE CONTRACT. IF POLICY PROVIDES THAT IT SHALL NOT BE VALID UNTIL COUNTERSIGNED AT CERTAIN PLACE IT IS A CONTRACT OF THAT PLACE.

A CLAUSE IN POLICY THAT SUIT MUST BE BROUGHT WITHIN SIX MONTHS AFTER LOSS, IS WAIVED IF COMPANY, WITHIN THE TIME, PROMISES TO PAY, AND AFTER ITS EXPIRATION REFUSES.

This was an action by the plaintiff against the defendant for the recovery of a loss by fire of a stock of goods insured by a policy issued by the defendant company. There was a judgment for defendant and plaintiff appealed. The policy contained a clause that no suit should be brought on it unless within six months after loss, and the company pleaded this as a bar to this suit. The court says:

This raises the question whether the policy is a Virginia or West Virginia contract. I think it is a West Virginia contract. May, Ins. section 65, says: "It follows, from the rule that the contract is completed when the proposal of the one party has been accepted by the other, that the place of contract is the place of acceptance. If an agent, resident in one State, of an insurance company, resident in another, forwards the requisite papers to the home office, and a policy is issued, and mailed directly to the applicant, the contract is a contract made in the State where the home office is situated, and since the acceptance is the term of completion, it would seem that a transmission of the policy by mail to the agent, to be delivered by him to the applicant, would have the like effect."

Tested by this law, when the proposal, if forwarded by an agent of the company, resident in Virginia, was accepted at the home office, and a policy issued and mailed to the agent in Virginia, to be delivered by him to the applicant, it would be a West Virginia contract, because the acceptance was there; but, to make this stronger, we may eliminate the consideration that the policy was sent to a Virginia agent of the company, to be delivered in Virginia to the insured party, and thus we have simply the case of some one as plaintiff's agent, sending to the Wheeling home office an application, and its acceptance there, and the is-

suance there of a policy, and its delivery to the applicant's agent in Richmond, which, under above law, makes it a West Virginia contract. The place of acceptance, not delivery, decides where the contract is made, as a general rule. And, if delivery were important, a delivery to the mail, addressed to the applicant or his agent, would be the final delivery. Nothing more remained to be done to complete the contract. By delivery to the mail, the company, in effect, delivered it to the party to be delivered to the insured, and lost control over it. That it was completely signed and countersigned by the officers at Wheeling is recited in the policy. So it is, under the facts and law, a West Virginia contract. But, to make this plainer, it declares that it should "not be valid until countersigned by the duly authorized agent of the company at Wheeling, W. Va." It shows that it was countersigned there. It then was completed and took effect. Judge Anderson, in Insurance Co. v. Warlick, 29 Gr. 628, says this shows it to be a contract where countersigned. The place of the performance of the final act, which is to give effect to the contract by its own word, is conclusive to show where the contract was made. (As to the claim that the suit was barred because brought more than six months after the loss, the court says:) This replication, as counsel for the company concedes, alleges that during the whole of the six months the company was promising to pay, and did not refuse to do so until after that period, and then refused. Now, whether such promise continuing unexecuted for a time, and then ended by a refusal to perform it, leaving a part of the price reasonably sufficient for suit, would be a waiver of the clause, or merely suspend it from the promise to the refusal to fulfill it, I need not do now. I do say, however, that where such a promise stands for the whole period of the limitation, it is not a mere suspension, but a waiver of the clause of limitation. The mere pendency of negotiations for settlement is no waiver. But a promise to pay ends controversy, and by it the company says: "You need not sue at all. I will pay without suit." It admits of no other interpretation. Reversed.

## ST. PATRICK'S DAY.

WILL BE ONLY PARTIALLY OBSERVED IN NORFOLK.

To-day is known in the calendar as St. Patrick's Day, and its observance will be general wherever any considerable number of Irishmen or persons of Irish descent are to be found throughout Christendom. In Norfolk its observance will be confined to wearing the green, and the shamrock will adorn the lapel of many a coat.

The year of the birth of St. Patrick, Ireland's patron saint, is involved in doubt. Some authorities place it in the year 373, others in 377, and still others in 387, but it is generally accepted that he first saw the light on the 17th day of March. The history of his years, his early struggles and splendid triumphs in later years is familiar to our readers, and its recitation here is not necessary. The time of his death is also in dispute, some historians placing it in 460, and others in 453. His age is also a matter of doubt. Whether he lived 116 years, or 126, it matters not, for the work he performed in Ireland lives after him, and will have its influence upon mankind as long as time lasts.

When St. Patrick visited Ireland the second time, some thirty years after he first set foot on its coast the captive of plagues, he preached the Gospel with great power despite the many obstacles that beset his course.

Chief among his opponents were the Druids, priests of the ancient faith, who were bitterly opposed to the innovation that St. Patrick had come to make. The people were none too ready to believe him at first, and it is said that he illustrated the truth of the trinity in the unity by means of a three-leaved clover, or shamrock. Hence the popularity of the shamrock and its association with the name of St. Patrick.

Until a few years ago, St. Patrick's Day was looked forward to eagerly in Norfolk. It was celebrated by a parade during the day, and at night a banquet, at which eloquent speeches were made. Much regret is expressed that this form of observance was allowed to fall into disuse.

## Best of All.

To cleanse the system in a gentle and truly beneficial manner, when the Springtime comes, use the true and perfect remedy, Syrup of Figs. Buy the genuine. Manufactured by the California Fig Syrup Co. only, and for sale by all druggists, at 50 cents per bottle.

## CITY CHARTER IMPROVED.

LEGISLATURE TO GIVE THE MAYOR MORE POWER.

It is known that the present city charter does not give satisfaction. It controls the powers of the Mayor to an alarming extent, and at various times it has been proposed to get the Legislature to make certain alterations, which it is believed would be beneficial. Many persons think that the Mayor should have more authority in controlling the police, fire, street, water and other departments.

An enlargement of the Mayor's powers will be asked and it is more than probable that authority will be given the City Fathers to elect the Street Inspector, Keeper of the Almshouse and the Superintendent of Cemeteries.

Exclusive designs in trowersings-nobby and up-to-date.

RUDOLPHI & WALLACE,  
333 Main street.

## IN MEMORIAM.

TRIBUTE TO THE LATE DR. TIBERIUS GRACIUS JONES.

At the First Baptist Church Wednesday night, a memorial service, in honor of the late Rev. Dr. Tiberius Gracius Jones, was held, he having, during the latter years of his life, been its pastor, and to the members of which his memory is very dear. Eulogistic remarks on the life and labors of the deceased minister were made by the present pastor, Rev. E. B. Hatcher, and several of the members, all of whom spoke in terms of praise and commendation of the deceased as an able divine, pastor, friend and citizen. The speakers exhibited a deep and lasting affection for the memory of Dr. Jones, and a feeling of profound gratitude to God for the inestimable privilege of having sat under and learned the way of life through his faithful ministry, as well as for the benefit of the intimate association with a man of such broad mind, enlarged Christian views, and noble, self-sacrificing character.

## NORTHERN EDITORS ARE IN NORFOLK

New England Newspaper League Pleased With City.

BENT ON BIG BUSINESS

Entertained by the Business Men's Association - Excursion on the River and a Dinner at the Monticello Hotel - See the City From an Electric Car - No Social Features To-day.

The editors are here.

The New England Newspaper League arrived in the city yesterday morning from Roanoke, and were taken in charge by a committee from the Business Men's Association, and the Literary gentlemen from the "Hub" were given a true Virginia welcome with Norfolk hospitality thrown in for good measure.

The editors arrived here in their private car, the Chicago, over the Norfolk and Western railroad, at 10:30 o'clock yesterday morning. They were met at the station by Captain H. S. Herman, Mr. W. T. Anderson and Mr. H. C. Keeling and were escorted to the rooms of the Business Men's Association, where they were welcomed by Mayor Johnston and a committee of citizens.



## PERSONNEL OF THE PARTY.

The following gentlemen made up the party: Messrs. C. F. King, general manager; Frank H. Gidder, advance representative; W. H. Ross, J. W. Reardon, F. M. West, Frank Hendry, Edward P. Critcher and A. H. Rhoades.



C. F. KING, MANAGER.

The following papers compose the league: Boston Traveler, Fall River News, Manchester Union, Lewiston Journal, Springfield Union, Hartford Post, Portland Express, Providence News, Lowell Mail, Concord Monitor and Burlington News.

THOSE WHO HELPED TO ENTERTAIN.

The following gentlemen helped to entertain the visitors after their arrival in this city: Mylor C. Brooke Johnston, Messrs. H. S. Herman, W. T. Anderson, J. P. Williams, Leroy W. Davis, J. E. Wright, Dr. H. C. Bradford, J. F. Lawler, Judge Portlock, H. C. Keeling, E. E. Dawes, R. Henry Jones, J. done in a very few minutes.

The croquet works of the Norfolk Croquet Company was also visited.

A PEEP AT THE MAGAZINE.

The Pocahontas steamed past the extensive magazine plant of Uncle Sam, and then, turning, went down the river to below Lambert's Point, stopping at the pier of the Southern Railway Company, and also the Norfolk and Western Railroad Company. The party arrived at Norfolk on the return trip about 3:30 p. m.

Mr. Herman then escorted his party to the Monticello Hotel, where an elegant luncheon was served. There was no speech making, but Mr. Anderson, Mr. Dawes, Dr. Bradford, Mr. Herman and others kept the party in excellent good humor with their witty sayings and humorous conversation.

Mr. Herman announced that there would be a general reception of the visitors at the rooms of the Business Men's Association at night, and Mr. Ross expressed the thanks of himself and friends for the kind and hospitable reception extended their party.

A RIDE AROUND TOWN.

After the luncheon the party boarded a special car of the City Railroad Company and were taken to Lambert's Point and through Brambleton, returning to the rooms of the Business Men's Association about 5 o'clock.

THE CLOSING FEATURES.

Most of the Literary League spent the evening at the Business Men's Association, and met quite a number of the business men of the city.

To-day will be devoted entirely to business by the party, and they were forced to decline an invitation to Virginia Beach. If they get through with their work they will leave here at night. The next stop will be Southern Pines, N. C., and from there the leaguers will visit various southern points.

While the league will "write up" the South, they are also looking for advertisements for their papers.

WILL GO OUT MONDAY.

MAY MISCHIANZA COMMITTEE TO BEGIN ACTIVE WORK.

The general committee from the Tidewater Carnival Association, appointed recently to select the soliciting committee, met last night in the rooms of the Business Men's Association. Those present were C. Brooks Johnston, T. H. Synon, W. W. Dey, J. W. Perry, D. J. Callahan, A. B. Nash, W. H. Venable, H. S. Herman, J. F. Lawler and T. J. Anderson.

General Manager Thomas J. Anderson had classified the committees as selected by the general committee, a few nights ago, and he submitted his paper to the meeting. Several other names were added to those already suggested, and there are now about 175 names on the special committees. There will be between fifty and sixty committees, the opinion prevailing that it would be best not to put too much work on any committee.

The general committee will meet Monday morning at 9 o'clock at the Business Men's Association, and will call on the members of the special committees and ask them in person to serve and explain to them that in asking contributions of the business houses it must be explained that this is no begging or charity affair, but a business enterprise pure and simple, and that every dollar put into it, will be practically an advertisement of the contributor's business, and that any attraction that could be promoted to bring a crowd to Norfolk would be bound to benefit every branch of trade.

\$5,000.00 in one day, and yet we do not find it necessary to close our store to deliver goods. Our customers are so well pleased with the Great Bargains we deal out in our Special Sales of Diamonds and Watches that they will not wait to have their purchases sent up. We want you to see our new stock of Stick Pins, the best we ever had. THE GALE JEWELRY CO.

Nothing beats a clay serge suit for spring and summer wear. Tailored in our fashion they make matchless garments. RUDOLPHI & WALLACE, 333 Main street.

W. McCarriek, J. P. A. Mottu, R. H. Wright, R. S. Cohn and C. W. Todd.

After a short stay at the rooms of the Business Men's Association, where the visitors were introduced to quite a number of citizens, Mr. Herman announced that he was ready to escort the party around the city and show the editors the various places of interest; also the great advantages Norfolk afforded as a business and seaport town.

VISIT CITIZENS' BANK BUILDING.

The first stop was at the Citizens' Bank building and the Literary guests were escorted to the roof of the beautiful business building and given an opportunity to view the surrounding country and gain some idea of the magnitude of the place as a harbor. The gentlemen were somewhat surprised at what they saw, and it was the general opinion that Norfolk's harbor was second to none in the country. The length and breadth of the city limits were also a surprise, and they left the roof with the feeling that Norfolk was the city of Virginia.

They also said that the bank was one of the best appointed counting houses they had seen on their trip.

ABOARD THE POCAHONTAS.

The party, after leaving the Bank building, went to the Merchants' and Miners' wharf, where they boarded the splendid tug Pocahontas, the property of Mr. John Twohy. The little boat with its merry party steamed up and down the river for several hours, the guests as well as the entertainers, greatly enjoying the refreshments that were served a-la-help-yourself style during the entire trip. Ham, tongue, turkey and oyster sandwiches, and ginger ale and popovers water were in great abundance.

The first stop was made at the Roanoke Lumber Company's saw mill works, when the operation of sawing the lumber and packing it away was witnessed, and it afforded an interesting sight, seeing the quick performance of drawing a log from the river, sawing it into boards and carrying them off to the drying rooms, all of which was

Black Lawn Waists at 75c.-Black Lawn and Percale Waists at \$1. Extra fine Black Lawn Waists at \$1.25. Excellent values in Colored Waists at 25c., 30c., 35c., 40c. and \$1.25. Pretty White India Linen and P. K. Waists at 75c. Better grades at \$1. White India Linen Waists, with three rows of embroidery across the front at \$1.39. Excellent quality White India Linen Waists, with sleeves of fine tucks at \$1.50. At \$2.00-Exquisite White India Linen Waists, beautifully pleated back-entire front of fine tucks and inserting. Beautifully braided White P. K. Waists at \$2.50. The finest White India Linen-made of extra fine yoke, back and front of fine tucks and inserting-sleeves of fine tucks. Fine Silk Mull Waists at \$4. Entire front of rich Val lace inserting.

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General Manager Thomas J. Anderson had classified the committees as selected by the general committee, a few nights ago, and he submitted his paper to the meeting. Several other names were added to those already suggested, and there are now about 175 names on the special committees. There will be between fifty and sixty committees, the opinion prevailing that it would be best not to put too much work on any committee.

The general committee will meet Monday morning at 9 o'clock at the Business Men's Association, and will call on the members of the special committees and ask them in person to serve and explain to them that in asking contributions of the business houses it must be explained that this is no begging or charity affair, but a business enterprise pure and simple, and that every dollar put into it, will be practically an advertisement of the contributor's business, and that any attraction that could be promoted to bring a crowd to Norfolk would be bound to benefit every branch of trade.

\$5,000.00 in one day, and yet we do not find it necessary to close our store to deliver goods. Our customers are so well pleased with the Great Bargains we deal out in our Special Sales of Diamonds and Watches that they will not wait to have their purchases sent up. We want you to see our new stock of Stick Pins, the best we ever had. THE GALE JEWELRY CO.

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